



U.S. Department of Justice

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For Immediate Release:

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EVENT: Sentencing

DEFENDANT: John A. Rapanos, 69, of Midland, Michigan

United States Attorney Stephen J. Murphy announced that John A Rapanos, 69, of Midland, Michigan was sentenced today in federal court in Detroit to three years' probation, a fine of \$185,000, and 200 hours of community service as a result of his conviction for discharging pollutants into wetlands in violation of federal law. Senior United States District Judge Lawrence P. Zatkoff imposed the sentence.

Mr. Murphy stated that "Mr. Rapanos was convicted after a jury found evidence in March 1995 that he filled approximately 50 acres of wetlands without obtaining a required permit. Mr. Rapanos also repeatedly failed to comply with both state and federal civil orders to cease and desist this activity, and to restore the wetlands, which resulted in criminal prosecution. The delay between the conclusion of the trial and this sentencing was as a result of several appeals, all of which were resolved in favor of the government."

A spokesperson for the Michigan Department of Environmental Quality has noted that

“in addition to filling in many acres of wetlands, Mr. Rapanos also removed nearly all trees and vegetation, turning forested wetlands into a desert-like scene. Zoning and environmental laws limit how Mr. Rapanos develops his property . Michigan environmental law does not prohibit all development on regulated wetlands; it requires that one obtain a state permit before developing and filling them in, but Mr. Rapanos never applied.”

Mr. Murphy commended the United States Environmental Protection Agency, Criminal Investigative Division, and the Michigan Department of Environmental Quality, for their hard work and professional investigation of this case which led to the successful prosecution of Mr. Rapanos.